

May 14, 1979

LB 398A

ago, it goes into effect January 1, 1981 and the fiscal year of that portion of the year would go to January 1 to June 30, 1981 and if we were to propose the A bill now that amount would be \$308,301. So, Mr. Chairman I leave it up to you to decide whether or not we need this A bill or perhaps some of the expertise on the floor could give us their thoughts. Mr. Chairman, Senator Koch questioned it. We have had I believe four fiscal notes, Senator Koch, and the latest one is \$308,301. I just now received that from the...and that is for a six month period. That was just received within the last few minutes from the appropriation people.

SPEAKER MARVEL: Was this, is this...do you have a kill motion on this, Senator Nichol?

SENATOR NICHOL: No sir, I did not. Well before I exercise that, Mr. Chairman, I want to make very sure that we need it. I hate to have a kill motion on it if we need it.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature. This one is a little different bill as it might be treated. The A bill is not needed, however, with or without it, it is a self-implementing piece of legislation and the cost with or without an A bill will be mandated July 1, 1980, is it? As soon as a new term begins after that date. As I recall, well I know its true, constitutionally we could not, we would have to appropriate the fund but whether it is an appropriation or not the judges would be paid at the level that the law requires. Now the only advantage of an A bill, in a sense, is for calculating sales income tax rates in November as a second year obligation would appear but I think that effect is there regardless because it is self-implementing. There is no choice about the obligations, so the A bill probably, Senator Nichol, could be killed and not have any impact one way or the other.

SENATOR NICHOL: Then in that case, Mr. President, Mr. Speaker, in that case I would ask to...what would I do? Ask to withdraw the bill or ask to have it killed?

SPEAKER MARVEL: Do you want to withdraw the bill? Okay, there is a kill motion up there. Whose motion is it?

SENATOR NICHOL: Is that the correct way to do it, Mr. Chairman?

SPEAKER MARVEL: You wish to have your amendment adopted?